

REMARKS

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to an Office Action mailed on September 21, 2004. Claims 1-27 are rejected. In this amendment claims, 1, 2, 4, 5, 10-13 and 15 have been amended. Claims 6-9, 14, and 16-27 have been cancelled without prejudice. Claims 28 and 29 have been added. No new matter has been added.

The Examiner objected to claims 1, 5, 6, 7, 9, 10, 11, 23, 25 and 27 because of several informalities. Claims 6, 7, 9, 23, 25 and 27 have been canceled. Claims 1, 5, 10 and 11 have been amended to remove the informalities pointed out by the Examiner.

The Examiner rejected claims 1, 5, 6, 9, 11, 13, 17, 19 and 21 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claims 6, 9, 17 and 21 have been canceled. Claims 1, 5, 11 and 13 have been amended to remove the subject matter referred to by the Examiner.

The Examiner rejected claims 1, 2, 4-6, 9, 11, 22, 24 and 26 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 6, 9, 22, 24 and 26 have been canceled. Claims 1, 2, 4, 5 and 11 have been amended to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner rejected claims 1 and 22-27 under 35 U.S.C. § 102(e) as being anticipated by Birk et al. (U.S. Patent No. 6,502,139, hereinafter Birk). Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Birk, in view of Arsenault, et al. (U.S. Patent No. 6,701,528, hereinafter Arsenault). Claims 5-12, 15, 16 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Birk, in view of Arsenault, and in further view of Abe, et al. (U.S. Patent No. 5,974,458, hereinafter Abe). As discussed below,

the pending claims are patentable over the above reference.

Birk discloses a system for near video on demand transmission of a program from a server to clients. The system includes a processor that partitions the program into segments, schedules the transmission of the segments and directs a transmitter to transmit the segments to the clients according to the schedule. Each client receives the transmitted data, selects the data that should be recorded on the recording medium, reorders the data to reconstruct the original program sequence, decompresses the data if necessary, and displays the data on the video display.

Contrary to the presently claimed invention, in Birk, the whole program is transmitted in segments to each client. In the presently claimed invention, the portions of the information content are continuously transmitted to a router at the server's side, and not the clients themselves. Accordingly, Birk does not teach or suggest constantly transmitting data portions of the information content to at least one router on the server side for constant availability of the information content to multiple clients, as claimed in the present invention. Neither does Birk teach or suggest sending a random data portion of the information content to a client from which a content request is received at a specific channel of the router, and sending the rest of the requested content to this client via the specific channel if the random portion is part of the requested content, as claimed in the present invention. Thus, Birk does not teach or suggest at least the features of the present invention that are included in the following language of claim 1:

... constantly transmitting the plurality of data portions to at least one router on a server side for constant availability of the information content to the plurality of clients;

upon receiving a content request at one of a plurality of channels at the at least one router from one of the plurality of clients, sending a random portion from the plurality of data portions to the one of the plurality of clients, the random portion comprising data indicating whether the random portion is part of the requested content; and

if the random portion is part of the requested content, sending the rest of the requested content to the one of the plurality of clients via the one of the plurality of channels.

Similar language is included in claims 28 and 29.

Arsenault discloses a method for providing a virtual video on demand services is disclosed. The method includes storing a segment of the video program in advance for VOD viewing at a later time. When the subscriber selects VOD service, a pre-stored video segment is retrieved for presentation to the subscriber. Remaining video program segments simultaneously broadcast on multiple channels are recorded in parallel while the pre-stored video program segment is retrieved and presented to the user.

Arsenault lacks at least the same limitations of the presently claimed invention that are missing from Birk: constantly transmitting data portions of the information content to at least one router on the server side for constant availability of the information content to multiple clients, sending a random data portion of the information content to a client from which a content request is received at a specific channel of the router, and sending the rest of the requested content to this client via the specific channel if the random portion is part of the requested content.


Abe discloses a method for data transfer accounting. Similarly to Birk and Arsenault, Abe lacks at least constantly transmitting data portions of the information content to at least one router on the server side for constant availability of the information content to multiple clients, sending a random data portion of the information content to a client from which a content request is received at a specific channel of the router, and sending the rest of the requested content to this client via the specific channel if the random portion is part of the requested content, as claimed in the present invention.

Thus, the cited prior art references, taken alone or in combination, do not teach or suggest the present invention as claimed in claim 1, 28 and 29, and their corresponding dependent claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

Respectfully submitted,

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